

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 2ND OCTOBER 2013 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), M. A. Sherrey (Deputy Leader), D. W. P. Booth, M. A. Bullivant, C. B. Taylor and M. J. A. Webb (Minute 48/13 to 53/13)

Invitees: Superintendent K. Purcell and Councillor P. Lammas,

Officers: Ms S. Hanley, Mr G. Revans, Mrs S. Sellers, Ms S. Morgan, Mr M. Cox, Ms A. Scarce, Ms R. Cole

42/13 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

43/13 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

44/13 **SUPERINTENDENT KEVIN PURCELL OF WEST MERCIA POLICE**

The Leader welcomed West Mercia Police Superintendent Kevin Purcell to the Cabinet meeting.

Superintendent Purcell thanked Members for the opportunity to attend the meeting as he was intending to meet with all District Councils within the North Worcestershire policing area to discuss the recent changes in the delivery of policing within West Mercia.

Superintendent Purcell referred to the following issues and responded to Member's queries thereon:

The alliance with Warwickshire Police was intended to help to meet the funding shortfall arising from the Government's spending review through sharing assets and back office services and ensuring processes are efficient and effective;

Across North Worcestershire there would be 19 Safer Neighbourhood Teams which will generally consist of a Police Sergeant a Police Constable and two Police Community Support Officers. The Teams would be supported by response officers operating from patrol bases;

There would be identification of “hot spot” areas of higher need where additional resources could be focussed and there would also be prioritisation of incidents to be attended;

There had been investment in mobile technology to enable officers to be more visible on the streets but to reduce travelling time to and from their operational bases. In addition the hours of Police Community Support Officers had been extended;

Information had been sent out to District Council Members so they were aware of the new arrangements and of officers within their own wards. It was hoped that Members would take the opportunity of contacting the Police Sergeant within their area to discuss what information reporting /feedback arrangements were required. It was anticipated this would take place at least every two months.

It was anticipated that most interviews of suspects would take place at local police stations but for more serious categories of offence this would take place at Kidderminster.

Members raised the issue of Travellers as there had been a number of instances recently of Travellers parking on Bromsgrove town centre car parks. From the Police’s perspective the key was for there to be sufficient provision for the relocation of Travellers. It was noted there was to be a county - wide review of the policy relating to Travellers in 2014 and that would be a good opportunity to look at strengthening the liaison and understanding between the Police and the Authority on this issue.

Superintendent Purcell re-iterated that he was happy to attend meetings with Parish Councils or other local Groups in order to discuss the new Policing arrangements.

The Leader thanked Superintendent Purcell for his attendance.

45/13 **MINUTES**

The minutes of the meeting of the Cabinet held on 4th September 2013 were submitted.

RESOLVED that the minutes be approved as a correct record.

46/13 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 16th September 2013 were submitted.

RESOLVED that the minutes be noted.

47/13 **COUNTY AIR QUALITY ACTION PLAN**

The Cabinet considered a report on the proposed adoption of the Worcestershire Air Quality Action Plan. The Leader welcomed Mark Cox from Worcestershire Regulatory Services to the meeting.

Members were reminded that Local Authorities had a duty under the Environment Act 1995 to prepare an Air Quality Action Plan where an Air Quality Management Area had been declared. In the Bromsgrove District there were currently four Air Quality Management Areas. Consultation with Stakeholders on the Plan had taken place over a three month period and the Plan had been adapted to reflect these.

It was noted that the adoption of the Air Quality Action Plan would enable Worcestershire Regulatory Services to act on behalf of this Council in the identification and implementation of the most effective measures to reduce nitrogen dioxide levels. Some of the measures within the Action Plan were specific whilst others were more generic and were applicable on a County-wide basis which meant a Worcestershire Plan was the most effective way of delivering improved air quality.

Members supported the Plan but it was recognised that its implementation would require the co-operation of a number of partner organisations.

RESOLVED: that the Worcestershire Air Quality Action Plan be adopted and the measures in the Plan be supported in order to provide an effective resolution to poor air quality and to enable the eventual revocation of the Air Quality Management Areas within the Bromsgrove District.

48/13 **AIR QUALITY TASK GROUP REPORT**

The Leader invited the Chairman of the Overview and Scrutiny Board to Councillor P. Lammas to introduce the report of the Task Group on Air Quality in the absence of the Chairman of the Task Group who was unable to attend the Cabinet meeting.

Councillor Lamas referred to the recommendations of the Task Group which were contained within 5 chapters:

- The review of the Air Quality Scrutiny report completed in December 2007;
- The role of Worcestershire Regulatory Services;
- The role of Worcestershire County Council;
- Health implications; and
- Conclusion

The Cabinet then considered the recommendations of the Task Group in detail.

Recommendation 1

Recommendation 1 – Low Emission Zones

Further consideration be given for LEZs to be included within the Air Quality Action Plan.

Recommendation 7 – Town Centre Redevelopment

A representative from Worcestershire Regulatory Services to be included within the membership of the Town Centre Redevelopment Group.

Recommendation 8 – High Street and The Strand

Although not declared as an Air Quality Management Area the continued monitoring of the air quality at Davenal House should take place and consideration be given to alterations to the traffic lights.

Recommendation 17 – Taxi Ranks

Regular reminders to taxi drivers in respect of leaving their engines running whilst waiting for the next fare at a taxi rank.

Cabinet Response

Recommendation 1 – Low Emission Zones

This was not supported in view of the likely finance implications.

Recommendation 7 – Town Centre Redevelopment

It was reported that the Town Centre Redevelopment Group was no longer in existence.

Recommendation 8 – High Street and The Strand

It was noted that monitoring was on going but it was felt that changes to the traffic lights would be costly at this stage.

Recommendation 17 – Taxi Rank

This was approved.

Recommendation 2

- (a) that separate Air Quality Action Plans be produced for the four AQMAs in Bromsgrove district in order to address the particular circumstances in each location
- (b) that the Action plans contain specific targets and detail projected timeframes and all actions should be implemented within those timescales

Cabinet Response

This was not agreed as it was felt that the overall County Air Quality Action Plan would be sufficient.

Recommendation 3

That a separate Air Quality Steering Group should be established in respect of the four AQMAs in Bromsgrove district.

Cabinet Response

It was not agreed that a separate Group was required as it was felt that the single Steering Group would be sufficient.

Recommendation 4

That the Overview and Scrutiny Board be provided with regular progress reports from the Air Quality Steering Group.

Cabinet Response

This is not applicable if the separate Steering Group is not set up. It was suggested as an alternative that the Annual report to DEFRA also be submitted to the Overview and Scrutiny Board at no additional cost.

Recommendation 5

Worcestershire Regulatory Services (WRS) applies for funding from the DEFRA Air Quality Grant Programme. If the first application is not successful the WRS should persist in submitting further applications in subsequent years.

Cabinet Response

It was agreed that WRS should apply for DEFRA funding as appropriate and in accordance with the Air Quality Action Plan.

Recommendation 6

That Worcestershire County Council applies for funding from the Worcestershire Local Transport Body in order to fund traffic management measures that will tackle air pollution in the Bromsgrove AQMAs.

Cabinet Response

Whilst this is a matter for the County Council there is no objection to requesting the County Council to make the application.

Recommendation 7

That Worcestershire County Council liaises with local bus operators to establish a local bus quality partnership in order to investigate the potential to update the bus fleets operating within the Bromsgrove district.

Cabinet Response

Whilst this is a matter for the County Council there is no objection to requesting the County Council to liaise with the relevant bus operators.

Recommendation 8

That the health implications of air pollution be the focus of a detailed review by the Worcestershire Health Overview and Scrutiny Committee.

Cabinet Response

It was noted that discussions were on going and that there was no objection to the issue being raised by the District Councillors who were Members of the Worcestershire Health Overview and Scrutiny Committee.

Recommendation 9

That the regular monitoring of particulate air pollutants within the Bromsgrove District's four AQMAs is carried out by Worcestershire Regulatory Services.

Cabinet Response

This was not agreed in view of the significant cost implications.

Recommendation 10

That Bromsgrove District Council sends a letter to the relevant Government Minister urging him/her to accelerate efforts to address problems with the higher emission levels from HGVs with a copy of the letter also being sent to the local M.P.

Cabinet Response

This recommendation was agreed.

Recommendation 11

That Bromsgrove District Council sends a letter to the relevant Government Minister responsible for DEFRA urging him/her to review the role of those responsible for Air Quality with a copy of the letter also being sent to the local M.P.

Cabinet Response

This recommendation was agreed.

Recommendation 12

The Overview and Scrutiny Board consider launching a separate review of CO2 emissions in the District.

Cabinet Response

It was felt this was a matter for the Overview and Scrutiny Board to determine as part of their future Work Programme.

The Leader thanked Members and officers for their work on this Task Group.

49/13 TOILETS IN BROMSGROVE CEMETERY AND SANDERS PARK

The Cabinet considered a report on the latest position regarding the previous decision to refurbish the existing toilets in Bromsgrove Cemetery.

Members noted the history to this matter which was fully set out in the report, including the budget of £25,000 which had been allocated for refurbishment of the toilets. Of this funding £2,000 had been spent on architect's fees, building regulation approval construction drawings tendering processes and administering contract with builders.

Following consultations with Community Safety, the local Disability Action Group and the Conservation Officer it had become apparent that refurbishment of the existing building could not satisfy the legal and safety concerns identified and therefore a replacement building would be required.

It was reported that the cost of a new toilet building within the Conservation Area, which was compliant with the Disabilities Discrimination Act and other relevant legislation would significantly exceed the existing budget.

The Cabinet considered the issue in detail and in particular considered the following points:

- the additional capital cost for replacement facilities of £12,000;
- the evidence from cemetery staff that demand for the facility is low;
- the incidents of anti-social behaviour including recent evidence of use for drug taking;
- the availability of alternative public toilets with disabled access at Sanders Park and within the Town Centre;
- the cessation of new earth burials within the cemetery in 2006 will mean that the cemetery will be visited less in the future;
- the toilets are not sustainable in their current condition and if they are not replaced will need to be closed and the building demolished to ensure the safety of the area.
- The cost of demolition would be approximately £5,000

There was also discussion on the possible alternative use of the remaining £18,000 within the budget to improve the toilet facilities in Sanders Park. These toilets were also in need of improvement and were in much greater use than the Cemetery toilets.

RECOMMENDED:

- (a) that the toilets within Bromsgrove Cemetery be closed and demolished at a cost of approximately £5,000; and

- (b) that the uncommitted balance of the capital budget previously allocated to the refurbishment of the Cemetery toilets (approximately £18,000) be transferred to fund the improvement of the toilets in Sanders Park.

50/13 **MEMBERSHIP OF IMPROVEMENT AND EFFICIENCY SOCIAL ENTERPRISE**

The Cabinet considered a report relating to a proposal that the Council become a member of the Improvement and Efficiency Social Enterprise (iESE).

It was noted that the iESE had originally operated under the name of Improvement and Efficiency South East as one of the Regional Improvement and Efficiency Partnerships (RIEPS). These partnerships were funded by central government with the aim of delivering improvements and efficiencies across the public sector. This Council continues to be supported by the Improvement and Efficiency West Midlands.

It was reported that following the withdrawal of funding for the RIEPS, Improvement and Efficiency South East had decided to continue their work with the same objectives but as an independent company. The company would be a non-profit distributing company limited by guarantee and there was an opportunity to become a member of the company which it was felt would be of benefit to the Council.

Clarification was given that the Council's representative would not have Director status within iESE; the correct position was that the Council through its representative would be a Member with voting rights at the Annual General Meeting.

RESOLVED:

- (a) that Bromsgrove District Council become a member of iESE Limited; and
(b) that authority be delegated to the Chief Executive in consultation with the Leader of the Council to approve and execute any documentation necessary to give effect to (a) above.

RECOMMENDED that a Bromsgrove District Councillor be nominated as Member and/or Voting Delegate of iESE Limited.

51/13 **THE DODFORD INN - APPLICATION FOR INCLUSION ON ASSET OF COMMUNITY VALUE REGISTER**

Following discussion on this matter at a previous meeting, the Cabinet considered an updated report on a request to list the Dodford Inn as an Asset of Community Value.

It was noted that advice received from the DCLG had confirmed that if the sale of a business as a going concern was involved then the moratorium on sale

would not come into effect. The Parish Council had also provided additional information as requested.

Whilst Members felt that they had sufficient information to determine this application, they were still concerned that the legislation relating to the "Community Right to Bid" under the Localism Act was unclear and unwieldy. It was commented that the situation may become clearer in future through case law.

Following discussion it was

RESOLVED that the listing of the Dodford Inn, Whinfield Road, Dodford as an Asset of Community Value be supported.

52/13 **LOCAL GOVERNMENT ACT 1972**

That under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the item of business the subject of the following minute on the grounds that it involves the disclosure of "Exempt Information" as defined in Part 1 of Schedule 12A to the Act the relevant paragraph of that part being as set out below and that it is in the public interest to do so

<u>Minute No.</u>	<u>Paragraph</u>
53/13	3

53/13 **DELEGATED AUTHORITY FOR DISPOSAL OF COUNCIL OWNED LAND AT RECREATION ROAD**

The Cabinet considered a report seeking delegated authority from the Cabinet for the Head of Legal, Equalities and Democratic Services to sign the legal agreements in relation to the disposal of the Recreation Road North Car Park. The disposal of the land had been previously agreed by the Cabinet.

RESOLVED that delegated authority be granted to the Head of Legal, Equalities and Democratic Services to approve and sign the necessary legal documents relating to the disposal of the Recreation Road North Car Park to Aspen Retirement Limited.

The meeting closed at 8.00 p.m.

Chairman